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04-AFC-1

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**BEFORE THE
STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION**

Application for Certification
For the San Francisco
Electric Reliability Project

Docket No. 04-AFC-1

Request for Reconsideration of Intervenor Sarvey

Intervener Sarvey hereby files the following request for reconsideration.

Introduction

Pursuant to Public resources Code 25530 Intervenor Sarvey hereby petitions the Commission for reconsideration of its Adoption Order, Findings and Order (collectively, "Decision") approving the Application for Certification ("AFC") for the San Francisco Electrical Reliability Project (SFERP) dated October 3, 2006.

Matters for Reconsideration

The petition is filed to correct an omission in the evidentiary hearing record. The decision relies heavily on expert testimony provided by the applicants various witnesses. Due to an error on the part of the applicant and the hearing officer the resumes and the declarations of the following experts are not included in the final exhibit list or any where else in the evidentiary record.

Karen Kubrick
Barbara Hale
Randall Smith
Steve Brock
Steven De Young
Barry Flynn
Gary Rubenstein
Mark Bastasch
Loren Bloomberg
John Carrier
John Cleckler

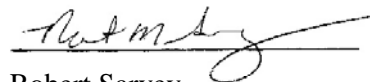
Doug Davy
Matthew Frank
Wendy Haydon
Tom Lae
John Lowe
Sarah Madams
Karen Parker
Tom Priestly
Steve Smith
Geof Spalding
Fatuma Yusef

The April 10 ,2006 hearing order provides the guidance under which testimony will be accepted:

Testimony may be presented in the form of a written declaration/affidavit or orally. Declarations/affidavits will suffice only for those topic areas which are undisputed and for which the Committee finds the information adequate. Parties proposing to present oral testimony by sponsoring a witness must also provide a written version of that witness' testimony as well as the witness' qualifications to testify on the appropriate subject matter.

[Commission Hearing Order April 10, 2006 page 1]

Since the declarations and resumes of the Applicant's experts are not included in the evidentiary record the evidentiary record is incomplete. Testimony that was accepted by declaration is not valid without the accompanying declarations. Oral testimony must also be accompanied by a resume and declaration. The Commission Decision relies heavily on the Applicant's witness' testimony for many of its findings. It is necessary for these documents to be included in the record to substantiate these findings. Without the resumes and declaration the Applicant's testimony is merely public comment which cannot be used to support a finding in the decision. The applicant has qualified Jeremy Salamy (Exhibit 95), Jim Bushnell and the impeached testimony of Anne Eng. (Exhibit 52)



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November 1, 2006